

**20A-1-404 Election controversies.**

- (1)
  - (a)
    - (i) Whenever any controversy occurs between any election officer or other person or entity charged with any duty or function under this title and any candidate, or the officers or representatives of any political party, or persons who have made nominations, either party to the controversy may file a verified petition with the district court.
    - (ii) If a petition is filed, the petitioner shall serve a copy of the petition on the respondents on the same day that the petition is filed with the court.
  - (b) The verified petition shall identify concisely the nature of the controversy and the relief sought.
- (2) After reviewing the petition, the court shall:
  - (a) issue an order commanding the respondent named in the petition to appear before the court to answer, under oath, to the petition;
  - (b) summarily hear and dispose of any issues raised by the petition to obtain:
    - (i) strict compliance with all filing deadlines for financial disclosure reports under:
      - (A) Section 10-3-208, regarding campaign finance statements in municipal elections;
      - (B) Section 17-16-6.5, regarding campaign finance statements for county offices;
      - (C) Title 20A, Chapter 11, Part 2, State Office Candidates - Campaign Organization and Financial Reporting Requirements;
      - (D) Title 20A, Chapter 11, Part 3, Candidates for Legislative Office - Campaign Organization and Financial Reporting Requirements;
      - (E) Title 20A, Chapter 11, Part 4, Officeholder Financial Reporting Requirements;
      - (F) Title 20A, Chapter 11, Part 5, Political Party Registration and Financial Reporting Requirements;
      - (G) Title 20A, Chapter 11, Part 6, Political Action Committee Registration and Financial Reporting Requirements;
      - (H) Title 20A, Chapter 11, Part 7, Campaign Financial Reporting by Corporations;
      - (I) Title 20A, Chapter 11, Part 8, Political Issues Committees - Registration and Financial Reporting;
      - (J) Title 20A, Chapter 11, Part 13, State and Local School Board Candidates; and
      - (K) Title 20A, Chapter 12, Part 3, Campaign and Financial Reporting Requirements for Judicial Retention Elections; and
    - (ii) substantial compliance with all other provisions of this title by the parties to the controversy; and
  - (c) make and enter orders and judgments, and issue the process of the court to enforce all of those orders and judgments.

Amended by Chapter 13, 2008 General Session